

ATLANTIC RECORDING CORPORATION, ET AL. vs. SPINRILLA, LLC, ET AL.
30(b)(6), Highly Confidential Paul Sinclair on 11/07/2017

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION
4)
5) CIVIL ACTION FILE
6) NO. 1:17-CV-0431-AT
7) Plaintiffs,
8) vs.
9) SPINRILLA, LLC, et al.,
10) Defendants.

11 VIDEOTAPED DEPOSITION OF
12 30(b)(6) WITNESS PAUL SINCLAIR

13 HIGHLY CONFIDENTIAL AND UNDER
14 PROTECTIVE ORDER

15 NOVEMBER 7, 2017
16 10:13 A.M.

17 600 PEACHTREE STREET, N.E.
18 SUITE 5200
19 ATLANTA, GEORGIA

20 Reported by: Lynne C. Fulwood, CCR
21 B-1075

1 APPEARANCES OF COUNSEL:

2
3 On behalf of the Plaintiff:

4 KENNETH L. DOROSHOW, Esq.
5 Jenner & Block, LLP
6 1099 New York Avenue
7 Suite 900
Washington, DC 20001
(202) 639-6000
kdoroshow@jenner.com

8 On behalf of the Defendants:

9 DAVID M. LILENFELD, Esq.
10 Lilenfeld, PC
11 3379 Peachtree Road, N.E.
12 Suite 980
Atlanta, Georgia 30326
(404) 201-2520
david@lilenfeld.com

13 Videographer:

14 Mr. Ervin Farkas

16 Also Present:

17 Mr. Brad Cohen
18 Mr. Craig Creeden

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1 And there's a contention in the complaint, am I
2 right, that Spinrilla's continued to allow the --
3 allow infringement to continue unabated. Do you
4 recall that?

5 MR. DOROSHOW: Objection to form.

6 A Yeah, generally.

7 BY MR. LILENFELD:

8 Q And in light of Spinrilla's -- are you
9 aware that Spinrilla implemented Audible Magic?

10 A I am.

11 Q And in light of Spinrilla's
12 implementation of Audible Magic, why does Warner
13 Music Group continue to contend that Spinrilla allows
14 infringement to continue unabated?

15 A Because Audible Magic is an imperfect
16 system for blocking content.

17 Q And if you can look at paragraph three?

18 A (Witness complies with request of
19 counsel.) On page two?

20 Q It's page three. Okay. Yes, skip that.
21 If you can go to paragraph 84, which is on page 27.

22 A (Witness complies with request of
23 counsel.) Paragraph 84?

24 Q Yes, sir.

25 A Okay.

1 [REDACTED]
[REDACTED]
[REDACTED]

4 Q And what did you do to prepare to answer
5 the questions in paragraph 35 and 36 of the
6 deposition notice?

7 MR. DOROSHOW: Objection to form.

8 A I spoke with in-house counsel as well as
9 various people within Warner Music Group who -- on
10 the digital production team.

11 BY MR. LILENFELD:

12 Q Okay. And then moving on to paragraph
13 37, what is Warner Music Group's understanding of the
14 accuracy of Audible Magic's services?

15 MR. DOROSHOW: Objection to form.

16 A That the service is -- the service is
17 reasonable but not 100 percent effective.

18 BY MR. LILENFELD:

19 Q Is there a -- you know what a failure
20 rate is? Have you heard that phrase, failure rate?

21 A I do know that that rate -- what that
22 term means.

23 Q Is there -- from Warner Music Group's
24 perspective is there an acceptable failure rate with
25 respect to its services?

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MR. DOROSHOW: Same objection.

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A So I personally -- so personally the
answer would be infrequently I've seen these types of
e-mails.

7

BY MR. LILENFELD:

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BY MR. LILENFELD:

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Q Got it.

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MR. LILENFELD: Yeah, mark this. And
this is marked highly confidential so do
you want to look at it first?

22

MR. DOROSHOW: Yeah.

23

24

MR. LILENFELD: It's an Atlantic
document.

25

MR. DOROSHOW: Just a question of

1 C E R T I F I C A T E

2 STATE OF GEORGIA:

3 COUNTY OF COBB:

4

5 I hereby certify that the foregoing
6 transcript was taken down as stated in the
7 caption and the questions and answers thereto
8 were reduced to typewriting under my direction,
9 that the foregoing pages 1 through 220 represent
10 a true, complete and correct transcript of the
11 evidence given upon said hearing, and I further
12 certify that I'm not of kin or counsel to the
13 parties in the case; am not in the regular employ
14 of counsel of any of said parties; nor am I in
15 anywise interested in the result of said case.

16 This 13th day of November 2017.

17

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20

LYNNE C. FULWOOD,
Certified Court Reporter
State of Georgia
License No. B-1075

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